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Attorneys for Plaintiff MMJK, INC.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MMJK, INC.

Plaintiff,

vs.

ULTIMATE BLACKJACK TOUR, LLC

Defendant.

) Case No. C 07 03236 BZ

) **MMJK, INC.'S RE-NOTICE OF**  
) **MOTION TO DISMISS THE**  
) **COMPLAINT PURSUANT TO**  
) **FED.R.CIV.P. 41(a)(2) AND THE**  
) **COUNTERCLAIMS PURSUANT TO**  
) **FED.R.CIV.P. 12(b)(1)**

) **Date: December 5, 2007**

) **Time: 10:00 a.m.**

) **Location: Courtroom G**

) **Honorable Bernard Zimmerman**

**TO THE DEFENDANT AND ITS ATTORNEYS OF RECORD:**

YOU ARE HEREBY NOTIFIED that due to a scheduling conflict with the Court, plaintiff MMJK, Inc.'s motion to dismiss its complaint pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and to dismiss the counterclaims of defendant Ultimate Blackjack Tour, LLC ("UBT") for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure will be heard on December 5, 2007, at 10:00 a.m. in Courtroom G, 15th Floor of the San Francisco Division of the United States District Court for the Northern District of California, located at 450 Golden Gate

1 Avenue.

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3 Dated: October 5, 2007

DERGOSITS & NOAH LLP

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5 By: /s/ Todd A. Noah  
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7 Attorneys for Plaintiff MMJK, INC.  
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